

EXHIBIT B

**UNITED STATES PROBATION
AND PRETRIAL SERVICE**

MEMORANDUM

DATE: March 4, 2021

TO: Honorable Michael J. Roemer
U.S. Magistrate Judge

FROM: Andre M. McCray
U.S. Probation Officer Assistant

SUBJECT: Peter Gerace
WD/NY Docket #19-CR-227
SD/FL Docket # 21-MJ-06112
Updated Information

On March 1, 2021, the above-named defendant appeared with retained counsel for an initial appearance before U.S. Magistrate Judge, Alicia O. Valle, in the Southern District of Florida, on an indictment and warrant originating from our district. At that time, the defendant was released on a personal surety bond with global positioning satellite system (G.P.S.) via home detention. The Court allowed the defendant to reside in Florida, until his scheduled return to the Western District of New York on Friday, March 3, 2021.

It is to be noted that the time of the defendant's initial drug test conducted in the Southern District of Florida, he tested positive for cocaine. Mr. Gerace reported taking some pills at a social gathering but, did not report cocaine use. At the time of the pretrial services interview, the defendant reported a history of cocaine use, with his last date of use being approximately one and a half years ago.

I have reviewed the bail report authored by U.S. Probation Officer, Yolonda N. Rawl, in the Southern District of Florida, in which the recommendation was detention pending the disposition of the case. I respectfully disagree with the aforementioned recommendation. Our office respectfully recommended that the defendant be released on the following conditions imposed by U.S. Magistrate Judge, Alicia O. Valle, in the Southern District of Florida.

Report to Pretrial Services as directed by the U.S. Probation Officer.

Surrender any passport/passport card to the Clerk of the Court. Surrender other international travel documents to the appropriate authorities.

Do not obtain a new passport or other international travel documents.

Travel restricted to: Western District of New York unless Court permission is granted to travel elsewhere.

Remain at a verifiable address as approved by Pretrial Services.

Avoid all contact with codefendants and defendants in related cases unless approved by Pretrial Services.

Avoid all contact with, directly or indirectly, with any person(s) who are or who may become a potential victim or witness in this case.

Possess no firearm/destructive device.

Refrain from any use of alcohol.

Refrain from the use or unlawful possession of a narcotic drug unless prescribed.

Submit to drug/alcohol testing and/or treatment as directed by Pretrial Services, including co-pay.

Refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibited substance testing which is required as a condition of release.

Abide by the conditions of the Location Monitoring Program (GPS), to be monitored electronically, via home detention, you are restricted to your residence at all times except for employment; education; religious services; medical, substance abuse, or mental health treatment; attorney visits; court appearance and court-ordered obligations. You will contribute to the cost of services (co-pay) as directed by the Pretrial Services Officer.

Refrain from obstructing or attempting to obstruct or tamper, in any fashion, with electronic monitoring which is required as a condition of release.

Report within 72 hours, to the Pretrial Services Office any contact with any law enforcement personnel, including, but not limited to any arrest, questioning or traffic stop.

The defendant shall not have any contact with Katrina Nigro.

The defendant shall not visit Pharaoh's Gentlemen's Club located at 999 Aero Drive, Cheektowaga, New York; an order to stay away from the strip clubs.

If Your Honor should have and questions, feel free to contact me at (716)-449-4314.